

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 23-43708

TERRANCE RICHARD PORTERFIELD,

Chapter 13

Debtor.

Judge Thomas J. Tucker

**ORDER DISMISSING CASE**

On April 21, 2023, the Debtor filed a voluntary petition for relief under Chapter 13, commencing this case. That same day, the Debtor also filed, among other documents, a document entitled “Certificate of Counseling” (Docket # 3), which states that on April 29, **2022**, the Debtor received “an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.”

The Debtors is not eligible to be a debtor in this case, under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition** by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

The Debtor did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of his petition*. In this case, the “180-day period ending on” the petition date of April 21, 2023 began on October 23, 2022. The Debtor received the credit counseling briefing on April 29, 2022, 177 days before the 180-day period began. Because the Debtor is not eligible to be a debtor in this case, the case must be dismissed.

IT IS ORDERED that this case is dismissed.

**Signed on April 25, 2023**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**